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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-399 PJH
Plaintiff,)	
v.)	GOVERNMENT'S OPPOSITION TO
)	DEFENDANT'S MOTION <i>IN LIMINE</i> TO
JAIME SALCEDO-MENDOZA,)	EXCLUDE EXPERT TESTIMONY
Defendant.)	
)	Trial Date: September 8, 2008
)	Pretrial Conf.: August 27, 2008
)	Judge: Hon. Phyllis J. Hamilton

GOV'T OPP. DEF. MOT. EXCLUDE EXPERT TESTIMONY
CR 08-399 PJH

1 The government filed its Notice of Expert Testimony on August 13, 2008, as the Court's
2 Pretrial Order required. As required by Rule 16(a)(1)(E), that disclosure identified Thomas
3 Liszkiewicz, a Senior Fingerprint Specialist with Immigration and Customs Enforcement, as a
4 witness who would provide expert opinion testimony about the defendant's fingerprints.

5 The defendant filed his Motion in Limine to Exclude Expert Testimony the same day the
6 government filed its expert witness opinion disclosure. If the defendant believes that the
7 government's disclosure is insufficient, he can object to it and the government will supplement it
8 if the Court orders the government to do so. Although a continuance would not present Speedy
9 Trial Act problems in this case because the speedy trial deadline is six weeks after the trial will
10 start, a supplemental disclosure would be better than continuing the trial. The defendant already
11 knows Specialist Liszkiewicz's qualifications and the bases and reasons behind his opinions.
12 The defendant would not be harmed by any delayed disclosure of the details of Specialist
13 Liszkiewicz's opinions.

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15 DATED: August 20, 2008

Respectfully submitted,
JOSEPH P. RUSSONIELLO
United States Attorney

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19 TAREK J. HELOU
20 Assistant United States Attorney
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